

Serial No.: 10/645,639  
Docket No.: 101-1001  
Amendment dated January 29, 2008  
Reply to the Office Action of October 30, 2007

## **REMARKS**

### **Introduction**

Claims 1-39 and 48-49 are allowed. Applicant notes with appreciation the Examiner's indication that claims 40 would be allowable if rewritten in independent form.

Upon entry of the foregoing amendment, claims 1-40 and 48-49 are pending in the application. Claim 40 has been amended and claims 41-47 have been cancelled by this amendment. No new matter is being presented. In view of the following remarks, reconsideration and allowance of all the pending claims are requested.

### **Rejection under 35 USC §101**

Claim 40 is rejected under 35 U.S.C. §101 because the claimed invention is directed to non-statutory subject matter. Accordingly, claim 40 has been amended to recite a computer-readable recoding medium on which computer instructions are encoded. Claim 40 now recites patentable subject matter.

### **Rejection under 35 USC §102**

Claims 41- 47 have been rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,587,115 to Gong et al. (hereinafter "Gong"). Claims 41-47 have been cancelled by this amendment, thereby obviating the rejections. The cancellation of claims 41-47 are made in the interest of expediting a favorable conclusion to the prosecution of the subject patent application, and without addressing the merits of Gong as prior art with regard to the subject claims.

### **Conclusion**

It is respectfully submitted that a full and complete response has been made to the outstanding Office Action and, as such, there being no other objections or rejections, this application is in condition for allowance, and a notice to this effect is earnestly solicited.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided below.

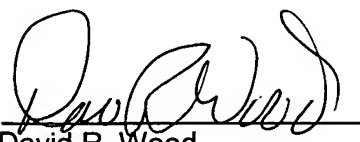
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If any further fees are required in connection with the filing of this amendment, please charge the same to our Deposit Account No. 502827.

Respectfully submitted,

STANZIONE & KIM, LLP

Dated: January 29, 2008  
919 18<sup>th</sup> St., NW, Suite 440  
Washington, DC 20006  
Telephone: (202) 775-1900  
Facsimile: (202) 775-1901

By:   
David R. Wood  
Registration No. 53,868